(69)

No. 05-184
Title: Salim Ahmed Hamdan, Petitioner
v.
Donald H. Rumsfeld, Secretary of Defense, et al.
Docketed: August 8, 2005
Lower Ct: United States Court of Appeals for the District of Columbia Circuit
Case Nos.: (04-5393)
Decision Date: July 15, 2005
Questions Presented

~~Date~~	~~~~~~~~Proceedings and Orders~~~~~~~~~~~~~~~~~~~~
Aug 8 2005	Petition for a writ of certiorari filed. (Response due September 7, 2005)
Sep 7 2005	DISTRIBUTED for Conference of September 26, 2005.
Sep 7 2005	Brief of respondents Donald H. Rumsfeld, Secretary of Defense, et al in opposition filed. (Distributed)
Sep 7 2005	Brief amicus curiae of National Institute of Military Justice filed. (Distributed)
Sep 7 2005	Brief amici curiae of Office of Chief Defense Counsel, et al. filed. (Distributed)
Sep 7 2005	Brief amicus curiae of Retired Generals and Admirals filed. (Distributed)
Sep 7 2005	Brief amicus curiae of Human Rights First filed. (Distributed)
Sep 7 2005	Brief amicus curiae of Louis Fisher filed. (Distributed)
Sep 7 2005	Brief amici curiae of 304 United Kingdom and European Parliamentarians filed. (Distributed)
Sep 7 2005	Brief amici curiae of Louise Doswald-Beck, et al. filed. (Distributed)
Sep 7 2005	Brief amici curiae of Legal Scholars and Historians filed. (Distributed)
Sep 7 2005	Brief amicus curiae of Association of the Bar of the City of New York filed. (Distributed)
Sep 13 2005	Reply of petitioner Salim Ahmed Hamdan filed. (Distributed)
Oct 3 2005	DISTRIBUTED for Conference of October 7, 2005.
Oct 11 2005	DISTRIBUTED for Conference of October 14, 2005.
Oct 24 2005	DISTRIBUTED for Conference of October 28, 2005.
Oct 31 2005	DISTRIBUTED for Conference of November 4, 2005.
Nov 7 2005	Petition GRANTED. The Chief Justice took no part in the consideration or decision of this petition.
Nov 14 2005	Extension of time within which to file the joint appendix and petitioner's brief on the merits to and including January 6, 2006.
Jan 3 2006	Consent to the filing of amicus briefs in support of either party received from counsel for the petitioner.
Jan 4 2006	Brief amici curiae of Historians Jack N. Rakove, et al. in support of petitioner filed.
Jan 5 2006	Brief amici curiae of International Law Professors in support of petitioner (Commissions - Geographic Requirement) filed.
Jan 6 2006	Brief amicus curiae of Urban Morgan Institute for Human Rights in support of petitioner (the Charming Betsy canon) filed.
Jan 6 2006	Brief amici curiae of Norman Dorsen, et al. in support of petitioner (Supreme Court Appellate Jurisdiction) filed.
Jan 6 2006	Brief amici curiae of Brennan Center for Justice, and William N. Eskridge Jr. in support

	of petitioner (Presidential Authority Lacking-UCMJ) filed.
Jan 6 2006	Joint appendix filed. (Joint appendix in two volumes).
Jan 6 2006	Brief of petitioner Salim Ahmed Hamdan filed.
Jan 6 2006	Brief amici curiae of Richard A. Epstein, et al. (Military Commission Authorized By or Inconsistent With UCMJ) filed.
Jan 6 2006	Brief amici curiae of General David Brahms and General James Cullen (Congressional Authorization Lacking) filed.
Jan 6 2006	Brief amici curiae of Retired Generals and Admirals and Milt Bearden (Geneva Conventions - Judicial Deference) filed.
Jan 6 2006	Brief amicus curiae of Yemeni National Organization for Defending Rights and Freedoms filed.
Jan 6 2006	Brief amicus curiae of Binyam Mohamed (Torture) filed.
Jan 6 2006	422 Current and Former Members of United Kingdom and European Union Parliaments filed. (International Law - Need for Adherence)
Jan 6 2006	Brief amici curiae of Law Professors Richard I. Aaron, et al. filed. (Presidential Authority Lacking)
Jan 6 2006	Brief amicus curiae of Office of Chief Defense Counsel, Office of Military Commissions filed. (Abstention Inappropriate)
Jan 6 2006	Brief amici curiae of Legal Scholars and Historians filed. (Effect of Quirin)
Jan 6 2006	Brief amicus curiae of Specialists in Conspiracy and International Law filed. (Conspiracy - Not a Triable Offense)
Jan 6 2006	Brief amicus curiae of Cato Institute filed. (Requirement of Civilian Jury Trial)
Jan 6 2006	Brief amici curiae of National Institute of Military Justice and Bar Association of the District of Columbia filed. (Barbary Wars Precedent)
Jan 6 2006	Brief amici curiae of Lawrence M. Friedman, Jonathan Lurie, and Alfred P. Rubin filed.
Jan 6 2006	Brief amici curiae of Center for National Security Studies, et al. filed. (Effect of Detainee Treatment Act of 2005)
Jan 6 2006	Brief amicus curiae of Louis Fisher filed. (Commissions - History)
Jan 6 2006	Brief amici curiae of Louise Doswald-Beck, et al. filed. (Commissions - Fair Trial Standards)
Jan 6 2006	Brief amici curiae of Law Professors Louis Henkin, et al. filed. (Geneva - Enforceability)
Jan 6 2006	Brief amicus curiae of American Civil Liberties Union filed.
Jan 6 2006	Brief amici curiae of Bar Human Rights Committee of the Bar of England and Wales, et al. filed.
Jan 6 2006	Brief amici curiae of American Jewish Committee, et al. filed. (Commissions: Rights of Presence and Confrontation)
Jan 6 2006	Brief amici curiae of Professors Ryan Goodman, et al. filed. (Geneva - Applicability)
Jan 6 2006	Brief amicus curiae of More than 300 Detainees Incarcerated at U.S. Naval Station, Guantanamo Bay, Cuba, et al. filed. (Whether Detainee Treatment Act of 2005 Divests Court of Jurisdiction)
Jan 6 2006	Brief amici curiae of Association of the Bar of the City of New York, et al. filed. (Geneva - Common Art. 3)
Jan 6 2006	Brief amicus curiae of Ibrahim Ahmed Mahmoud Al Qosi filed. (Enforceability on Habeas Mandamus)
Jan 6 2006	Brief amici curiae of Madeleine K. Albright and 21 Former Senior U.S. Diplomats filed.

	(Military Commissions - Independence of Judiciary)
Jan 6 2006	Brief amici curiae of Military Historians, Scholars and Practitioners filed. (Military Commissions and Articles of War)
Jan 6 2006	Brief amici curiae of Human Rights First, et al. filed. (Military Commissions - Torture)
Jan 6 2006	Brief amici curiae of Certain Former Federal Judges filed. (Separation of Powers: Enforceable at Guantanamo)
Jan 6 2006	Brief amici curiae of International Human Rights Organizations for Copnstitutional Rights, et al. filed.
Jan 6 2006	Brief amici curiae of Professor Richard D. Rosen, Associate Dean and Director of Center for Military Law and Policy, et al. filed. (Issue of Abstention)
Jan 6 2006	Brief of amicus curiae National Association of Criminal Defense Lawyers filed. (Military Commissions - Structure and Procedures)
Jan 6 2006	Brief amicus curiae of Arthur R. Miller filed. (Abstention and Mandamus).
Jan 6 2006	Brief amicus curiae of David Hicks filed.
Jan 11 2006	Motion of petitioner for an order directing the parties to submit supplemental briefing filed.
Jan 12 2006	Motion to Dismiss for Lack of Jurisdiction filed by respondents Donald H. Rumsfeld, Secretary of Defense, et al.
Jan 17 2006	Order extending time to file response to motion to dismiss for lack of jurisdiction to and including January 31, 2006.
Jan 17 2006	Motion of petitioner for supplemental briefing DISTRIBUTED for Conference of January 20, 2006.
Jan 17 2006	Opposition to petitioner's motion for supplemental briefing filed by respondents.
Jan 18 2006	Motion DISTRIBUTED for Conference of February 17, 2006.
Jan 18 2006	Extension of time within which to file respondent's brief on the merits to and including February 23, 2006.
Jan 18 2006	Reply to respondents' opposition to motion for supplemental briefing filed by petitioner. (Distributed).
Jan 23 2006	Motion of petitioner for an order directing the parties to submit supplemental briefing is DENIED. The Chief Justice took no part in the consideration or decision of this motion.
Jan 23 2006	SET FOR ARGUMENT on Tuesday, March 28, 2006.
Jan 23 2006	CIRCULATED.
Jan 31 2006	Motion for leave to file amici brief filed by Former Federal Judges Shirley M. Hufstedler and William A. Norris.
Jan 31 2006	Petitioner's opposition to respondents' motion to dismiss filed. (Distributed)
Feb 1 2006	Motion DISTRIBUTED for Conference of February 17, 2006.
Feb 8 2006	Record received from U.S.C.A. District of Columbia Circuit. (1 box)
Feb 9 2006	Record received from U.S.D.C. for District of Columbia Circuit. (1 envelope)
Feb 13 2006	Respondents' reply brief in support of motion to dismiss for lack of jurisdiction filed. (Distributed)
Feb 15 2006	Motion for leave to file surreply regarding respondents' motion to dismiss filed by petitioner.
Feb 15 2006	Motion DISTRIBUTED for Conference of February 17, 2006.
Feb 21 2006	Motion for leave to file amici curiae brief filed by Former Federal Judges Shirley M.

	Hufstedler and William A. Norris GRANTED. The Chief Justice took no part in the consideration or decision of this motion.
Feb 21 2006	Motion for leave to file surreply regarding respondents' motion to dismiss GRANTED. The Chief Justice took no part in the consideration or decision of this motion.
Feb 21 2006	A total of 90 minutes is allotted for oral argument.
Feb 21 2006	Further consideration of respondents' motion to dismiss for lack of jurisdiction is deferred to the hearing of the case on the merits. The Chief Justice took no part in the consideration or decision of this motion.
Feb 23 2006	Brief of respondents Donald H. Rumsfeld, Secretary of Defense, et al filed. (Distributed)
Feb 23 2006	Brief amici curiae of Former Attorneys General of the United States, et al. filed. (Distributed)
Feb 23 2006	Brief amici curiae of Senators Graham and Kyl filed. (Distributed)
Feb 23 2006	Brief amici curiae of Washington Legal Foundation, et al. filed. (Distributed).
Feb 23 2006	Brief amici curiae of American Center for Law and Justice, et al. filed. (Distributed)
Feb 23 2006	Brief amicus curiae of Citizens for the Common Defence filed. (Distributed)
Feb 23 2006	Brief amicus curiae of Criminal Justice Legal Foundation filed. (Distributed)
Feb 28 2006	Motion for leave to file amicus brief out of time filed by Scott L. Fenstermaker, et al. (Distributed)
Mar 15 2006	Reply of petitioner Salim Ahmed Hamdan filed. (Distributed)
Mar 20 2006	Motion for leave to file amicus brief filed by Scott L. Fenstermaker, et al. DENIED. The Chief Justice took no part in the consideration or decision of this motion.
Mar 27 2006	Request for recusal of Justice Scalia received from counsel for amici curiae Retired Generals and Admirals.
Mar 28 2006	Argued. For petitioner: Neal Katyal, Washington, D.C. For respondents: Paul D. Clement, Solicitor General, Department of Justice, Washington, D.C.